

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

KEVIN THOMAS MACKLIN,)
)
 Petitioner,)
)
 vs.) No. CIV-19-375-C
)
 JANET DOWLING, Warden,)
)
 Respondent.)

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on August 30, 2019, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned recommendation of the Magistrate Judge and no point would be served in repeating that analysis. Although Petitioner raises disputes of fact, none are relevant to the legal conclusion correctly resolved against him.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus relief is dismissed, as untimely. As no amendment can cure the defect, this dismissal acts as an adjudication on the merits, and a judgment will enter.

IT IS SO ORDERED this 26th day of September, 2019.

Robin J. Cauthron
ROBIN J. CAUTHRON
United States District Judge